

CASE OP/4-31881A

RECEIVED

APR 08 2003

TECH CENTER 1600/2900

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EL 820028000 US
Express Mail Label NumberSeptember 20, 2002
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1632

BRAZZELL ET AL.

Examiner: Bertoglio, Valerie E

APPLICATION NO: 10/080,797

FILED: FEBRUARY 21, 2002

FOR: METHOD OF TREATING OCULAR NEOVASCULARIZATION

Assistant Commissioner for Patents
Washington, D.C. 20231K.T.
4/8
ELECT.RESPONSE TO RESTRICTION REQUIREMENT

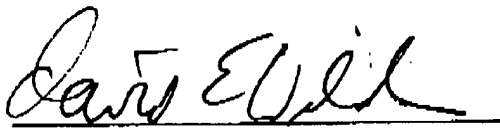
Sir:

This communication is in response to the Restriction Requirement mailed on September 6, 2002. Applicants elect claim group II, claims 1 to 3, 5 to 8, 17 to 22, and 27 to 41, said by the Examiner to be drawn to a method of treating ocular neovascularization by administering a viral vector comprising an endostatin-encoding nucleic acid.

An early and favorable action on the merits is respectfully requested.

Respectfully submitted,

Novartis Corporation
Patent and Trademark Dept.
564 Morris Avenue
Summit, NJ 07901-1027
(908) 522-6946


David E. Wildman
Attorney for Applicants
Reg. No. 40,226

Date: September 20, 2002

Case No. CP14-31881A
Application No. 10/080,797
Mailing Date: September 20, 2002
Due Date: October 01, 2002
Express Mail No.: EL 820028000 US

The Patent & Trademark Office acknowledges, and has stamped hereon the date of receipt of the items checked below:

- ☒ Amendment Response/Letter - Fee \$ 70 Restriction Requirement
☐ Appl. Filing Papers - Fee \$ _____
 ☐ PCT National Stage
 ☐ Provisional Application
 ☐ CPA ☐ DIV ☐ CONT ☐ CIP
 ☐ Specification _____ Pg's
☐ Executed/Unexecuted Decl. - Fee \$ _____
 ☐ Missing Parts/Missing Req.
☐ Preliminary Amendment _____ Pg's
☐ Claim of Priority ☐ Certified Copy(s)
☐ Amendment After Final
☐ Notice of Appeal - Fee \$ _____
☐ Appeal Brief - Fee \$ _____
☐ Issue Fee Payment \$ _____
☐ Assignment Rec. Req. - Fee \$ _____
☐ Formal Drawings _____ Pg's
☐ IDS _____ Pg's - Fee \$ _____
☐ PTO-1449 Form _____ Pg's
☐ Pet. for Ext. of Time - Fee \$ _____
☐ Pet. to Convert to Prov. Appl. - Fee \$ _____
☐ Seq. Listings _____ Pg's/Seq. _____
☐ _____
☐ _____

DEW
Initials

82972/99A

MAR-17-2003 16:23

NOVARTIS INTELLECT PROP

973 781 8064

P.04

***** -COMM. JC - ***** DATE MAR-13-2003 * * TIME 10:42 *****

MODE - MEMORY TRANSMISSION

START=MAR-13 10:41

END=MAR-13 1:42

FILE NO.=287

STN COMM. ONE-TOUCH/ STATION NAME/TEL NO.
NO. ABBR NO.

PAGES DURATION

001

OK

*

917837467333

003/003

00:00:59

-NOVARTIS INTELLECT PROP -

***** -

- ***** - 973 781 8064- *****

David E. Wildman
Senior Patent Attorney

Novartis
Corporate Intellectual Property
One Health Plaza, Building
430
East Hanover NJ 07936-
1080

Tel (862) 778-7954
Fax (973) 781-8064
Internet: david.wildman
@group.novartis.com

 NOVARTIS

Fax

Attention Valerie E. Bertoglio
Patent and Trademark Office

Fax no. 703-746-7333
Number of pages 3 including cover page

Date March 13, 2003


Concerning Copy of Response to Restriction Requirement

Dear Examiner Bertoglio:

Per your request, submitted herewith is a copy of the response to the Restriction Requirement mailed on September 6, 2002. The Express Mail certificate and the PTO stamped postcard both indicate the mailing date of September 20, 2002 for the response. If you have any questions please call me at (862) 778-7954.

Very truly yours,

Novartis Corporation


David E. Wildman

DEW:ad

Enc.

Copy of Response to Restriction Requirement
PTO Stamped Postcard

CONFIDENTIALITY NOTICE

THIS FAX CONTAINS CONFIDENTIAL INFORMATION WHICH MAY BE PRIVILEGED AND IS INTENDED SOLELY FOR THE USE OF THE ABOVE-NAMED RECIPIENT(S). IT MAY BE EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NOT AN INTENDED RECIPIENT OR PERSON RESPONSIBLE FOR DELIVERY OF THIS FAX TO AN INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS FAX IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISCLOSURE, COPYING OR OTHER USE OF THIS FAX OR ITS CONTENTS IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FAX IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY BY TELEPHONE AT ONE OF THE PHONE NUMBERS SET FORTH ABOVE AND DESTROY THIS FAX IMMEDIATELY.